08-13-04

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 99,296-D)

In the Application of:

Yatvin et al.

Serial No.: 10/737,342

Filing Date: December 16, 2003

For: Anti-mycobacterial Compounds

Examiner:
K. Weddington

Group Art Unit:
1614

TRANSMITTAL LETTER

Commissioner for Patents
Alexandria, VA 22313

Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:

   a) Information Disclosure Statement;
   b) PTO Form 1449 and cited references
   c) Return postcard

2. With respect to fees:

   a) No fees are required
   b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.

3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage Express Mail in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313 on August 12, 2004.

Respectfully submitted,

Date: August 12, 2004

Kevin E. Noonan, Ph.D.
Registration No. 35,303

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	)	
Filing Date: December 16, 2003	)	**Group Art Unit:**
	)	**1614**
For: Anti-mycobacterial Compounds	)	
	)	

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. Copies of the references cited below are enclosed. These references are also listed on the enclosed PTO Form 1449.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

Applicants do not believe any fee is due with this submission. If this belief be in error and the Patent Office determines that the fee prescribed in the relevant portion of 37 C.F.R. Section 1.97 is applicable, the undersigned representative by his signature hereby authorizes any such fee to be debited from Deposit Account 13-2490.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff

Date: August 12, 2004

Kevin E. Noonan
Reg. No. 35,303

Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application No.	
				Filing Date:	November 5, 2001
				First Named Inventor	Yatvin et al.
				Group Art Unit	1614
(use as many sheets as necessary)				Examiner Name	K. Weddington
Sheet	1	of	2	Attorney Docket No.	99,296-C

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	U.S. Patent Document Number	U.S. Patent Document Kind Code[2] (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Figures Appear
		6,063,759				
		6,399,607	B1	Welch et al.	June 4, 2002	

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T[2]
		ADACHI *et al.*, "Cloning and Expression of Dipeptidase from Acinetobacter calcoaceticus ATCC 23055", *J. Biochem.* 118, 555-561 (1995).	
		BARRY *et al.*, "Pathogenicity and Immunogenicity of Listeria monocytogenes Small-Plaque Mutants Defective for Intracellular Growth and Cell-to-Cell Spread" 1992, *Infect. Immun.* 60:1625-1632.	
		SUN *et al.*, "Reduced Pyrazinamidase Activity and the Natural Resistance of Mycobacterium kansasii to the Antituberculosis Drug Pyrazinamide" *Antimicrobial Agents and Chemotherapy* 43(3)537-542 (Mar. 1999).	
		DENIS *et al.*, "Killing of Mycobacterium smegmatis by Macrophages from Genetically Susceptible and Resistant Mice", 1990, *J. Leuk. Biol.* 47:25-29.	
		DREVETS AND CAMPBELL "Roles of Complement and Complement Receptor Type 3 in Phagocytosis of Listeria monocytogenes by Inflammatory Mouse Peritoneal Macrophages", 1991, *Infect. Immun.* 59:517-523.	
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		KABAT *et al.*, 1988, *Chem. Pharm. Bull.* 36:634-640	

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] Unique citation designation number. [2] Applicant is to place a check mark here if English translation is attached.

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				Application No.	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Filing Date:	November 5, 2001
				First Named Inventor	Yatvin et al.
				Group Art Unit	1614
(use as many sheets as necessary)				Examiner Name	K. Weddington
Sheet	2	of	2	Attorney Docket No.	99,296-C

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.[1]	Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T[2]
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		VAN FURTH *et al.*, "Mycobacteria and Macrophage Activation" 1990, *Res. Microbiol.* 141:256.	
Examiner Signature		Date Considered	

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